

## Message Text

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13

ACTION EA-14

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FM AMEMBASSY SAIGON

TO SECSTATE WASHDC 4361

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FOR STEARNS, EA

E.O. 11652: N/A

TAGS: PINS, PINT, VS

SUBJECT: POLITICAL PRISONERS IN AMERICAN HISTORICAL  
PERSPECTIVE

1. I AM INDEBTED TO JOE BENNETT'S ERUDITION AND SCHOLARSHIP  
FOR THE FOLLOWING TWO PASSAGES FROM SAMUEL ELIOT MORRISON'S "THE  
OXFORD HISTORY OF THE AMERICAN PEOPLE". GIVEN THEIR APPOSI  
TENESS

TO THE PROBLEM OF "POLITICAL PRISONERS" IN SOUTH VIET-NAM, PER-  
HAPS THEY MAY BE OF USE TO EA/VN OR "P" IN ADDING SOME PERSPECTIVE  
TO THE PROPAGANDA CAMPAIGN ON THIS ISSUE WHICH WILL REACH ITS  
HEIGHT IN THE COMING WEEKS. THE POINT IS NOT TO DEFEND OR EXCUSE  
"ARBITRARY AND UNJUST PROCEEDINGS" ANYWHERE OR AT ANYTIME BUT TO  
UNDERSCORE THAT ALL SOCIETIES DO MOVE TO PROTECT THEMSELVES  
FROM DESTRUCTION. WHEN THE THREAT IS REMOVED, IF THE SOCIETY IS  
SOUND, THESE ABUSES, SUCH AS THOSE ALLEGED IN SOUTH VIET-NAM,  
DISAPPEAR.

2. THE PASSAGES FOLLOW:

A. "SIMULTANEOUSLY WITH THE EMANCIPATION PROCLAMATION, LINCOLN  
ISSUED AN ORDER THAT SEEMED TO DENY WHITE CITIZENS THE LIBERTY  
THAT HE PROPOSED TO ACCORD TO NEGRO SLAVES. HE PROCLAIMED  
THAT ALL PERSONS RESISTING DRAFT, DISCOURAGING ENLISTMENT, OR  
'GUILTY OF ANY DISLOYAL PRACTICE AFFORDING AID AND COMFORT  
TO REBELES' WOULD BE SUBJECT TO MARTIAL LAW, TRIED BY THE  
MILITARY, AND DENIED THE WRIT OF HABEAS CORPUS. UNDER THIS PRO-  
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CLAMATION, OVER 13,000 PERSONS WERE ARRESTED AND CONFINED BY

MILITARY AUTHORITY, FOR OFFENSES RANGING FROM THEFT OF GOVERNMENT PROPERTY TO TREASON. EARLIER IN 1862, AND ONLY A FEW DAYS AFTER HE HAD DENOUNCED LINCOLN'S TYRANNY, PRESIDENT DAVIS OBTAINED FROM HIS CONGRESS THE POWER TO SUSPEND THE WRIT OF HABEAS CORPUS, AND PROMPTLY DID SO IN RICHMOND AND OTHER PLACES, WHERE EQUALLY ARBITRARY AND UNJUST PROCEEDINGS OCCURRED."

B. "IN OHIO, INDIANA, AND ILLINOIS, WHERE TREASON FLOURISHED SIDE BY SIDE WITH THE MOST STALWART LOYALTY, GENERAL BURNSIDE ATTEMPTED REPRESSION IN 1863 WITH SLIGHT SUCCESS. IN A GENERAL ORDER HE DECLARED, 'THE HABIT OF DECLARING SYMPATHY FOR THE ENEMY WILL NOT BE ALLOWED IN THIS DEPARTMENT.' FOR VIOLATING THIS ORDER IN A CAMPAIGN SPEECH, THE MOST PROMINENT COPPERHEAD, CLEMENT L. VALLANDIGHAM, WAS ARRESTED, TRIED BY A MILITARY TRIBUNAL, AND SENTENCED TO CONFINEMENT FOR THE DURATION OF THE WAR. LINCOLN HUMOROUSLY ALTERED THE SENTENCE TO BANISHMENT WITHIN THE MILITARY LINES OF THE CONFEDERACY, WHITHER VALLANDIGHAM WAS ESCORTED IN MAY 1863."

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